

in terms of financial assistance, especially when NSF funding overall is increasing and also since the co-founding, which is scheduled to increase in this budget year, should be matched by a similar increase in the base EPSCoR program.

I know that the report prepared last fall by the Senate Labor and Human Resources Committee endorsed by EPSCoR program, and we on the Senate Commerce, Science, and Transportation Committee are equally supportive.

The PRESIDING OFFICER. Under the previous order, S. 1046 is deemed read a third time, the Labor Committee is discharged from further consideration of H.R. 1273 and the Senate will now proceed to its consideration. Under the previous order, all after the enacting clause is stricken, the text of S. 1046, as amended, is inserted in lieu thereof, and the bill is deemed read a third time.

The bill (H.R. 1273), as amended, was deemed read a third time.

Mr. JEFFORDS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the role.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Oklahoma (Mr. INHOFE) is necessarily absent.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—99

Abraham	Faircloth	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Ford	McCain
Baucus	Frist	McConnell
Bennett	Glenn	Mikulski
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Brownback	Gregg	Reed
Bryan	Hagel	Reid
Bumpers	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inouye	Sessions
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (NH)
Conrad	Kempthorne	Smith (OR)
Coverdell	Kennedy	Snowe
Craig	Kerrey	Specter
D'Amato	Kerry	Stevens
Daschle	Kohl	Thomas
DeWine	Kyl	Thompson
Dodd	Landrieu	Thurmond
Domenici	Lautenberg	Torricelli
Dorgan	Leahy	Warner
Durbin	Levin	Wellstone
Enzi	Lieberman	Wyden

NOT VOTING—1

Inhofe

The bill (H.R. 1273), as amended, was passed.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote by which

the bill was passed, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent that I may speak as in morning business for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATIENTS' BILL OF RIGHTS

Mrs. BOXER. Mr. President, earlier this morning, some of us were on the floor urging the Senate to bring up the Patients' Bill of Rights, a very important bill that would essentially protect patients from decisions made by accountants and bureaucrats in insurance companies and have their health care decisions made by physicians.

I was talking with the Senator from North Dakota who has been presenting a number of cases that proves our point as to why this legislation is needed, and he shared with me a most extraordinary case coming out of California. I am going to tell the Senate about this case, because we cannot close our eyes to what is happening.

I share with you the case of Joyce Ching from Agoura, CA. Joyce Ching lived with her husband David and 5-year-old son Justin. In 1992, when David switched jobs, he was offered an array of plans, but Joyce convinced him to join an HMO because she wanted the entire family to go to the same place to get their care.

In the summer of 1994, Joyce got sick. She began to suffer from severe abdominal pain and from rectal bleeding. The pain was so excruciating that some days she couldn't even get out of bed to be with her son. She visited her HMO doctor and was refused referral to a specialist.

I am not a physician, but I know enough people who have had problems, and when you have rectal bleeding, that is a sign that something is amiss. Yet, this HMO did not refer her to a specialist. Do you know what her doctor in the HMO told her? That her symptoms would be alleviated by a change in diet.

She changed her diet, and the symptoms were not alleviated. Fearing that her illness could hamper her chances of having a second child, she continued to complain to the physician that her pain was getting worse, and the doctor said, "Give your diet time," and still would not refer her to a specialist.

Finally, after nearly 3 months and countless visits, she was referred to a gastroenterologist, but it was too late. Joyce, 34 years old, was diagnosed in the final stages of colon cancer.

What is so shocking about this case is that her doctor never really listened to her concerns and never sent her to a specialist. When you find out why, it will send chills up and down your spine. There was a deal in that HMO.

They looked at Joyce's profile and they decided: A healthy woman in her thirties, we can't spend more than \$28 a month on Joyce.

I will conclude with this, Mr. President. The HMO's accountants decided that Joyce should cost the HMO \$28 a month, and they told the doctor, "If she costs you any more than that, your clinic will have to pay out of its own pocket." So there was a deal made to give incentives to that clinic not to treat this woman, and she is gone. She is gone forever from the lives of her husband and her beautiful son, and she died at 34.

I have to say, when we stand up here day after day with these cases, it is not to hear the sound of our own voices, because there are thousands and thousands of stories like this, and people want action. They want decisions made by physicians. They want patients and physicians to be honest with each other. They don't want incentive payments to doctors so that they will not be treated. This is a tragedy that you cannot even measure, Mr. President. I call on the leadership to allow us to bring up the Patients' Bill of Rights. I yield the floor.

RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:47 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 having arrived, the Senator from Texas is recognized to move to recommit the conference report accompanying S. 1150.

Mr. ROBERTS addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Mikki Holmes, an intern, be allowed on the floor for the duration of this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.